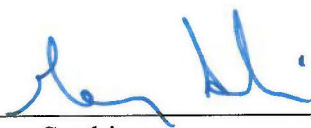


SOLID WASTE DISPOSAL ACT8-31. Determination That There Is or Has Been a Release (1200 TN 350 8-31)

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including section 3008(h), to make determinations that there is or has been a release of hazardous waste into the environment at a facility authorized to operate under section 3005(e).
2. **TO WHOM REDELEGATED.** Director, Enforcement and Compliance Assurance Division.
3. **LIMITATION.** Any official exercising this authority must obtain the prior concurrence of the regional counsel or designee.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the unit supervisor level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 3008(h) of the SWDA.
 - b. See the Chapter 8 Delegations titled:
 - i. Administrative Enforcement - Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements.
 - ii. Administrative Enforcement - Agency Representation in Hearings and Signing of Consent Agreements.
 - iii. Civil Judicial Enforcement Actions, Including Collection Actions.
 - iv. Settlement or Concurrence in Settlement of Civil Judicial Enforcement Actions.
 - v. Emergency Temporary Restraining Orders.



Gregory Sopkin
Regional Administrator

Date